3 Hiregunjal :—It is reported that there is a drinking water well in this village and the water in this well would meet the requirements of the villagers.

4 Yerebudhihal :—It is reported that there is no scarcity of drinking water in this village for the present.

It may be further stated that the seasonal conditions and situation of drinking water prevailing in each taluk of Dharwar District are being reviewed every month in the Revenue Officers meetings. During the course of meetings no reports regarding drought conditions in Yerenarayanapur, Hiregunjan and Yerebudihal villages are brought to the notice of the Deputy Commissioner. He has, however, called for a special report in respect of the availability or otherwise of drinking water in respect of Yerenarayanpur Village from the Tahsildar, Kundgol, and the Assistant Commissioner, Savanur, and that necessary action will be taken on receipt of reports from the said Officers.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಈ ಬಗ್ಗೆ ನಾನು ಪ್ರಶ್ನೆ ಕಳಿಸಿ ಒಂದು ತಿಂಗಳಾಯಿತು. ತಿರೂರಿನಲ್ಲಿ ಕುಡಿಯುವ ನೀರು ಸರಬರಾಯಿ ಮಾಡುವ ವ್ಯವಸ್ಥೆ ಮಾಡಿಲ್ಲ. ಅಲ್ಲಿ ಇತ್ತೀಚೆಗೆ ಬೆಂಕಿ ಹತ್ತಿ ಸುಮಾರು 20 ಬಣವಿಗಳು ನುಚ್ಚು ನೂರಾಗಿ ಹೋದವು. ಅಲ್ಲಿ ನೀರು ಇಲ್ಲ. ಕುಡಿಯುವುದಕ್ಕೂ ನೀರು ಇಲ್ಲ. ಇದರ ಬಗ್ಗೆ ಉತ್ತರದಲ್ಲಿ ಏನೂ ಹೇಳಿಲ್ಲ.

Member's Representations

ಶ್ರೀ ಎಚ್. ಎನ್. ನಂಜೇಗೌಡ (ಅರಕಲ್‌ಗೂಡು).—ನಾವು ಕಳಿಸಿದ ಪ್ರಶ್ನೆಗಳಿಗೆ 15 ದಿವಸದೊಳಗೆ ಉತ್ತರ ಕಳಿಸಬೇಕು ಎಂದು ಇದೆ. ಹಿಂದಿನ ಅಧಿವೇಶನಕ್ಕೆ ಮುಂಚೆ ಕಳಿಸಿದ್ದು ನನ್ನ ಎರಡು ಮೂರು ಪ್ರಶ್ನೆಗಳಿಗೆ ಮಾತ್ರ ಉತ್ತರ ಬಂದಿವೆ. ನಾನು ಆ ಪ್ರಶ್ನೆಗಳನ್ನು ಪುನಃ ರಿನ್ಯೂ ಮಾಡಿರುವುದರಿಂದ ಉತ್ತರ ಬಂದಿವೆ. ಇತ್ತೀಚೆಗೆ ಕಳಿಸಿದ ಪ್ರಶ್ನೆಗಳಿಗೆ ಸರಕಾರದಿಂದ ಉತ್ತರವೇ ಬಂದಿಲ್ಲ. ನನ್ನ ಪ್ರಶ್ನೆಗಳಿಗೆ ಉತ್ತರಗಳು ಯಾಕೆ ಬಂದಿಲ್ಲ ಎನ್ನುವುದಕ್ಕೆ ಪಾರ್ಲಿಮೆಂಟರಿ ಅಫೇರ್ಸ್ ಮಂತ್ರಿಗಳು ಶ್ರದ್ಧೆವಹಿಸಿ ಪರಿಶೀಲನೆ ಮಾಡಿ ಉತ್ತರ ಹೇಳುತ್ತಾರೆಯೇ? ಅಥವಾ ಪ್ರಶ್ನೆ ಕಳಿಸತಕ್ಕ ಮೆಂಬರು ಮೆಂಬರುಗಳಲ್ಲ ವ್ಯತ್ಯಾಸ ಇದೆ ಏನು? They won't see the light of the day. The Government must be sincere in getting answers.

†Sri S. R. KANTHI.—I will state the position. The position is: after the receipt of the question, within 15 days from the date of its receipt, the answers should be supplied to the Legislature Secretariat by the Government. Sometimes, it becomes difficult. Under the Rule, what is done is, Government ask for extension of time. If the extension of time is given, Government have one month for answering the question and the question will be answered. I am taking care to see that all the questions are answered within one month. There are several questions to which replies have been submitted to the Legislature Secretariat and they have not as yet come before the House for want of time. If the hon'ble Member wants replies from the Government for his questions, If he gives the number of the questions I will try to look into them, and

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see that a reply is sent as early as possible. In the case of Mr. Sri kantiah, he gave a list of 13 questions and more than half of them have already been replied and the replies have been sent to the Legislature Secretariat. So, Sir, if this hon'ble Member, instead of raising questions here on the floor of the House, just gives the number of the questions to me, I will certainly help him.

SRI H. SIDDAVEERAPPA.—That means, the hon'ble Minister for Parliamentary Affairs expects us that we should wait at his doors and request him to see that our questions should be taken up. I think it is derogatory to the privilege of the members of this House to do so. I respectfully submit that, that is not the procedure. What has been done in the Parliament is that every question will be serialled according to the date on which it is received and then they are called for with answers. The rule is very clear and the Government is bound to answer them with in the stipulated period of 15 days. The hon'ble Minister says that it is not possible in all cases. It is only in special cases that extension of time is applied for, for answering questions. I am one of those who chronically complain against the Government for not getting replies to my questions. They are still pending. Now I have lost all hope. I don't want to ask the Minister; I do not care to ask him becuase it serves no purpose. Unless it serves some purpose, there is no meaning in requesting him. He cannot expect us to wait at his doors.

SRI S. R. KANTHI.—Nobody need come to me or wait at my doors. I am every day waiting at the door of the hon'ble Members. Every day, I go to their lounges and Lobbies and will have a talk with them. I want to know what they want. I want to know from them their difficulties to solve them. I go to them. They need not come to me at all.

SRI S. SIVAPPA (Sravanabelagola).—Mr. Kanthi need not come to us. So, we also need not go to him. There is the Office and the Secretariat which are working regularly and efficiently. So, why should he come to us and why should we go to him? Let things be done through the Secretariats.

SRI S. R. KANTHI.—Mr. Siddaveerappa has stated all that in joke. I have replied in joke. But, in any case, I have always been trying to see that the questions are answered within the time given to us, that is, 15 days. If it is not possible, we write for extension of time. And within another 15 days, I always come with the answers.

SRI DIGAMBARA RAO B. KALMANKAR.—I understand that the replies have been received in the Secretariat. In spite of it, the questions do not come before the House.

MR. CHAIRMAN.—I understand the whole thing. The complaint of the hon'ble Member is that Government is not replying to the questions within the scheduled time and unnecessary time is taken. I hope, Government will not do it. My direction to the Government is that the

replies must be expedited and furnished as quickly as possible. With that all the controversies will stop.

Now, Hon'ble Deputy Minister for Finance.

Sri SIVAPPA.—I rise to a point of order.

Mr. CHAIRMAN.—Nothing is moved yet.

Sri S. SIVAPPA.—I am not speaking on the budget. The Finance Minister is in station, I was told. He was absent from this House for a week and even at the time of presenting the Supplementary Demands he is not here. Is he serious about this? This House cannot be represented merely by Deputy Ministers. See the empty treasury benches! Except the Food Minister who is not concerned with the Supplementary Demand and the Deputy Finance Minister, no other Minister is here. I request the Speaker to direct the Finance Minister, if he is in station, to come here and move the Demand. He cannot go his way.

Sri H. R. ABDUL GAFFAR (Deputy Minister for Finance).—Sir, not only he is in the premises but he is replying to the budget discussion in the Legislative Council. He would come here after the reply is over

Sri H. SIDDAVEERAPPA.— Sir, may I also make a respectful submission to you that so far as these Supplementary Demands are concerned I would invite your kind attention to the provisions of the Constitution, namely.....

Mr. CHAIRMAN.—He has not presented it : let him move.

Sri H. SIDDAVEERAPPA.—What I am saying is, I do not want. the Deputy Finance Minister to move the respective Demands because there are various demands tabled in the names of several Ministers, How can the Deputy Finance Minister move the demands tabled and scheduled to be moved in the names of various Ministers? I want to know whether it can be in order. You can see the names of almost all the Ministers. It is in the nature of a budget. Therefore, it does not lie in the mouth of the Deputy Finance Minister to move the demands which are in the names of all the Ministers.

Mr. CHAIRMAN.—The procedure all along, not only here but in the Lok Sabha also, has been that Supplementary Demands are generally moved by the Finance Minister or his Deputy. The Constitutional position is, Minister means every Minister including Deputy Minister. Therefore, in the interest of work, anybody may move it. Of course, the Finance Minister may reply to the debate. Therefore I do not think there is any Constitutional difficulty in the matter of the Deputy Finance Minister moving the Demands on behalf of the entire Government.

Sri M. NAGAPPA.—I rise to a point of order. Supplementary budget has been introduced in this House and it is going to be taken up for consideration of each department. But, it cannot be taken u[p]

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according to rule 211 read with rules 171 and 168 of the Rules of Procedure. Rule 171 reads :

> "Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptation, whether, by way of modification, addition or omission as the Speaker may deem to be necessary or expedient."

So, the procedure laid down for Supplementary Demand is the same procedure as is applicable in the case of Demands for Grants. Accordingly, Supplementary budget was introduced yesterday. As per rule 168, if a member has to move any cut motion, he has to move within four days. If the budget is taken to-day only, where is 4 days for moving the cut motion ? I will read Rule 168 :

> " Any member desiring to move a motion to reduce any demand shall give notice at least four clear days before the day on which the demand is under consideration."

So, unless four days time is given for giving cut motions this cannot be taken for consideration. It is against the provisions of the Rules of Procedure and Conduct of Business. I submit that the Supplementary budget need be taken up for consideration and it should only be taken only after four days.

SRI H. SIDDAVEERAPPA.—Sir, that is exactly what I wanted to say. I am thankful to my friend. In support of the point of order, there are other provisions also which I want you to kindly consider. If you see all these three Supplementary Budgets that have been placed by this Government one in the month of July 1967, second in the month of December 1967 and the third placed now with which we are concerned at present, the amount involved is to the tune of Rs. 36,79,29,498. Sir if you see all these three demands the amount very nearly comes to one-fifth of the total budget for the entire year. though we need not bother about the financial out-going. Immediately we are concerned in saying that it can never be called by any stretch of imagination as a Supplementary budget. We can consider it as a budget in parts. That is also permissible in rules.

> "172. The debate on the Supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion."

Then in rule 171 it is clearly stated :

> ' Supplementary, additional, excess and exceptional grants, and votes of credit shall be regulated by the same procedure

as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient."

Now you will see that under rule 171 the procedure that we have to adopt with regard to supplementary grants is the same as is to be adopted in the case of the original demands. With regard to original demands the procedure has been very clearly laid down in rule 164. In rule 164 this is what is stated :

"164. (1) The Speaker shall inconsultation with the Leader of the House allot so many days, not being less than ten days, as may be compatible with the public interest for the discussion and voting of demands for grants.

(2) On the last day of the allotted days, at five o'clock, or at the hour fixed for the termination of the day's meeting, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants....."

(3) Motions may be moved to reduce any demand for grant...' Then rule 165 deals with the procedure to be followed for moving cut motions. This rule 165 is a valuable instrument in the hands of Hon'ble Members to highlight the deficiencies of the budget and to show as forcefully as we can the propriety or impropriety of the demands that have been placed. You will see that the procedure laid down in rule 165 is equally applicable in the case of supplementary demands. Even in the Constitution you will be pleased to find this in article 205. Article 202 deals with the procedure in financial matters particularly with regard to the annual financial statement.

"The Governor shall in respect of every financial year cause to be laid before the House or Houses of the Legislature of the State a statement of the estimated receipts and expenditure of the State for that year, in this Part referred to as the 'annual financial statement.'

Then there are also other provisions. The most important one is with regard to article 205.

"205. The Governor shall—

(1) (a) if the amount authorized by any law made in accordance with the provisions of article 294 to be expended for a particular service for the current financial year is found to be insufficient for the purpose of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year or

(b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

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cause to be laid before the House or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the State a demand for such excess, as the case may be.

(2) The provisions of articles 202, 203 and 204 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropration of moneys out of the Consolidated Fund of the State to meet such expenditure or grant."

With regard to the procedure with regard to estimates and Appropriation Bills articles 203 and 204 are clear. You know it and I do not want to repeat them and take more time of the House. We are immediately concerned with regard to additional or supplementary demands. I think this Government have no sense of proportion. So far as my little knowledge about budgeting goes about financing of the State and how the budget has to be prepared, in any sound budget there ought to be very little variation between the budget and the revised and between the revised and the actuals. Now what has happened is.....

MR. CHAIRMAN.—The Hon'ble Member may offer his remarks afterwards.

SRI H. SIDDAVEERAPPA.—We are immediately interested in seeing how this has come up. Yesterday at the lunch hour this was introduced and today it has been taken up. According to the procedure that has been laid down with regard to original grants, we are given a time table within which we have to send our cut motions, if any. Now in this particular case that valuable privilege has been taken away if we take up this immediately for discussion. Therefore I respectfully submit that in order to lay down very healthy conventions and follow the procedure as laid down in the rules and the Constitution, it shall not be taken up today. Proper notice will have to be given to us and then they may take it up. With regard to merits, as you suggested, I do not want to say anything now. I will say it at the appropriate time.

† SRI S. R. KANTHI.—The hon'ble members opposite, especially my friend Sri Siddaveerappa will remember that the time allotted for supplementary demands in the Business Advisory Committee is one day. This was presented yesterday and it is being taken up today. The procedure that the hon'ble members want to adopt is unexceptionable. It is true

that the same procedure that applies for demands for grants also applies for supplementary demands. To my knowledge in all the Assemblies— I was also Speaker for 5 years ; this rule is dispensed with and supplementary demands are considered without the cut motions because in the past no cut motions wereever tabled, but the supplementary demands were discussed for a day. Naturally the scope of discussion of the supplementary demands is limited to the extent that the grant is demanded of the House. That being so, if hon'ble members wants to quote bible and book, I have no objection. If hon'ble members want that they should have time to send in cut motions and to consider the cut motions, I have absolutely no objection. They ought to have said this in the Business Advisory Committee and made it clear. Now I cannot bind them. They have a right to say all that. They have a right to say that under article 205 supplementary demands are as good as demands for grants and the procedure to be followed is the same. I agree, but this is not what is done. Normally these things are not taken on par with the budget. That being so, I make an appeal to hon'ble members that they will excuse me if I say that the supplementary grants should be taken up now. If they want time for giving cut motions I will make a motion under rule 322 that rule 168 may be suspended and if hon'ble members want to give cut motions they may give in an hour's time and they may be given an hour's time for that.

Sri H. SIDDAVEERAPPA.—Can any motion be orally moved ?

Sri S. R. KANTHI.—Yes.

Sri H. SIDDAVEERAPPA.—I rise to a point of order, Sir.

Sri S. R. KANTHI.—There is no question. It can be moved at any time.

Mr. CHAIRMAN.—Rule 322 is very clear. If the Minister for Parliamentary Affairs wants to move a motion under that rule, let him give it in writing because that involves the consent of the Speaker. Let that formality be gone through.

Meanwhile, I have heard the various points raised by the Hon'ble Members here to the effect that the procedure for Supplementary Budget is the same as for the principal budget, and that is the correct position. As I understand it, today was probably non-official day and by agreement yesterday the Whips of both parties met and they decided that the Supplementary Budget should be presented yesterday and taken into consideration and passed today.

10-30 A.M.

Sri H. SIDDAVEERAPPA.—It did not come up before the Business Advisory Committee.

Mr. CHAIRMAN.—I am not referring to what transpired at the Business Advisory Committee.

Sri K. H. PATIL. —Sir, I rise on a point of order.

Mr. CHAIRMAN.—There can be no point of order raised when the Chair is standing. As pointed out by the Hon'ble Member Sri Nagappa, Rules 171 and 168 are to be read together. Rule 171 says :

> "Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient."

This rule gives the discretion to the Presiding Officer to have such adaptations as modification, addition or omission as the Speaker deems to be necessary or expedient. Besides, the responsible office bearers of the two parties have come together and decided that this matter should be discussed and finished today in the interest of expediency. In this connection, I am fortified by the fact that prior notice of these demands was given on the 12th March. Whatever it be, in exercise of the power conferred on me Under Rule 171, I suspend the operation of Rule 168 and the discussion on the Supplementary Demands will go on.

Sri H. SIDDAVEERAPPA.—What about the Constitutional provisions ? With due respect to the Whips, probably they were not properly guided by those concerned in bringing to their notice about this lacuna in the procedure that we are now asked to follow. It is not a small amount that is involved. I therefore want your ruling, Sir, with regard to the constitutional provision I have quoted.

Sri M. NAGAPPA.—Under the Rules 146, 147 and 148, the motion moved by the Hon'ble Minister for Parliamentary Affairs is inadmissible, because it is the privilege of a member to move cut motions.

Mr. CHAIRMAN.—The Hon'ble Member is under the impression that the Minister for Parliamentary Affairs has moved the motion ; he has not yet moved it.

Sri H. SIDDAVEERAPPA.—He has orally moved it and he has been directed to give it in writing. You have given a ruling and we will obey it, but I want your ruling with regard to the constitutional provision that I raised. The question is whether the constitutional provisions regarding the finances are to be respected or they can also be given a go bye.

Sri S. R. KANTHI.—The Hon'ble Member Sri Siddaveerappa has raised a point under Article 205. It gives the right to the Government to bring Supplementary Demands and it also gives them the right on to bring additional or excess grants. You have, Sir, *suo moto* suspended Rule 171 and waived the notice period. What the Hon'ble Members now want is discussion. The Supplementary Demands are before us and let them discuss it. Under Article 205 there is no

procedure laid down. Even sub-clause (2) says that the same procedure has to be followed.

Sri H. SIDDAVEERAPPA.—Has it been followed ?

Sri S. R. KANTHI.—That is what I have said. The Demands have to be considered. The question is of cut motions. The Demands can go on.

Sri K. H. PATIL.—Sir, I submit to the Chair that points involving constitutional measures are there. I hope the Hon'ble Minister for Parliamentary Affairs will also contribute to it.

ಶ್ರೀ ಅಜೀಜ್ ಸೇಟ್.—ತಾವು ಸ್ವಲ್ಪ ಶಾಂತ ರೀತಿಯಿಂದ ಇದ್ದು ನಾವು ಏನು ಹೇಳುತ್ತೇವೆ ಎಂಬುದನ್ನು ಕೇಳಿ. ತಾವು ನಮಗೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನೇ ಕೊಡದಿದ್ದರೇನು ಮಾಡಬೇಕು ?

Mr. CHAIRMAN.—I shall be very patient. But, the member need not take much time. The Point of Order should be very brief. He may please be brief.

Sri AZEEZ SAIT.—Please bear with me, Sir. I am not questioning your Ruling. I feel sorry for the way in which the Government has been sheltered under your guidance and it creates a lot of anxiety.

Mr. CHAIRMAN.—What is the Point of Order ? He should not waste time.

† ಶ್ರೀ ಅಜೀಜ್ ಸೇಟ್.—ನಾವು ಹೇಳತಕ್ಕದ್ದನ್ನು ಸಮಾಧಾನದಿಂದ ತಾವು ಕೇಳಬೇಕು. ಇಲ್ಲಿ ಚರ್ಚೆಯಾಗುತ್ತಿರುವುದು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾದ ವಿಷಯ. ಹಾಗೆ ಮಾತನಾಡಬಾರದು ಅನ್ನುವುದು ತಮ್ಮ ಅಭಿಪ್ರಾಯವಾದರೆ ಈ ಬಡ್ಜೆಟ್ಟನ್ನು 20-25 ದಿವಸ ಕುಳಿತು ಚರ್ಚೆ ಮಾಡಬೇಕಾದ್ದೇ ನಿದೆ ? ಈ ದಿವಸವೇ ಇದನ್ನು ಮುಗಿಸಿಬಿಡಿ. ತಾವು ಹಿರಿಯರು. ನಾವು ಹೇಳುವುದನ್ನು ತಾವು ಕೇಳಬೇಕು. ಈ ದಿವಸ ಇಂಡಿರತಕ್ಕ ಪಾರ್ಲಿಯಮೆಂಟೆರಿ ಅಫೇರ್ಸಿನ ಮಂತ್ರಿಗಳು ಹೌಸ್‌ನ್ನು ಮಿಸ್‌ಲೀಡ್ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಅವರು ಹಿಂದೆ ಮುಖ್ಯಮಂತ್ರಿಗಳಾಗಿ ಈ ಸಭೆಯ ಅಧ್ಯಕ್ಷರಾಗಿ ಮತ್ತು ವಿದ್ಯಾಮಂತ್ರಿಗಳಾಗಿ ಕೆಲಸ ಮಾಡಿದ್ದು ಈಗ ಪಾರ್ಲಿಯಮೆಂಟೆರಿ ಅಫೇರ್ಸಿನ ಮಂತ್ರಿಗಳೂ ಆಗಿದ್ದಾರೆ. ಅವರು ನಮ್ಮ ಎಲ್ಲರ ಕಣ್ಣಿಗೂ ಮಸಿ ಬಳಿಯುವುದಕ್ಕೆ ಪ್ರಯತ್ನಮಾಡುತ್ತಿದ್ದಾರೆ. ನಮಗೆ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಸಪ್ಲಿಮೆಂಟರಿ ಡಿಮ್ಯಾಂಡ್ ಬಗೆಯೂ ಕಟ್‌ಮೋಷನ್ ಕಳುಹಿಸುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಆದರೆ ನಮ್ಮ ಬಿಜಿನೆಸ್ ಅಡ್ವೈಸರಿ ಕಮಿಟಿಯಲ್ಲಿ ಕುಳಿತಿದ್ದ ಸದಸ್ಯರು ಸಪ್ಲಿಮೆಂಟೆರಿ ಡಿಮ್ಯಾಂಡನ್ನು ಒಂದು ದಿನದಲ್ಲಿ ಮುಗಿಸಬೇಕೆಂದು ತೀರ್ಮಾನ ಮಾಡಿದ್ದಾರೆ. ಆದರೆ ಅದನ್ನೂ ಅವರು ನಿನ್ನೆ ದಿವಸ ಪ್ರಸೆಂಟ್ ಮಾಡಿ ಈ ದಿವಸ ಆಗಲೇ ಚರ್ಚೆಗೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ. ಅದು ಸರಿಯಲ್ಲ. ಇದರ ಬಗ್ಗೆ ಕಟ್‌ಮೋಷನ್ ಕೊಡತಕ್ಕ ಹಕ್ಕು ನಮಗಿದೆ. ಅದನ್ನು ಬಿಸಿನೆಸ್ ಅಡ್ವೈಸರಿ ಕಮಿಟಿಯವರಾಗಲೀ, ಈ ಸಭೆಯ ಅಧ್ಯಕ್ಷರಾಗಲೀ, ಮುಖ್ಯ ಮಂತ್ರಿಗಳಾಗಲೀ ಅಥವಾ ಪ್ರೆಸಿಡೆಂಟ್ ಆಫ್ ಇಂಡಿಯಾ ಆಗಲಿ ನಮ್ಮ ಹಕ್ಕನ್ನು ಕಿತ್ತುಕೊಳ್ಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. ನೀವು ಈ ದಿವಸ ಇಲ್ಲಿ ನಡೆಯ ತಕ್ಕ ಕಾರ್ಯಕಲಾಪಗಳ ನೀತಿ ರೀತಿಗಳನ್ನು ನೇಮಗಳನ್ನು ಕೊಲೆ ಮಾಡುತ್ತಿದ್ದೀರಿ, ನಾಶಮಾಡುತ್ತಿದೀರಿ ಹೀಗೆ ಅನ್ಯಾಯ ಮಾಡುವುದು ಸರಿಯಲ್ಲ ನಮಗೆ ಕಟ್ ಮೋಷನ್ ಕಳುಹಿಸುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕು. ಅದಕ್ಕಾಗಿ ಈ ಮನೆಯನ್ನು ಅಡ್ಜರ್ನ್ ಮಾಡಿ. ನಾವು ನಿಮ್ಮ ಒತ್ತಾಯಕ್ಕೆ ಒಳಗಾಗುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. ಇಲ್ಲಿ ಹೀಗೆಲ್ಲಾ ಅತ್ಯಾಚಾರಗಳು ನಡೆಯುವುದಾದರೆ ಇಲ್ಲಿ ಯಾರಿಗೂ ಮರ್ಯಾದೆ ಬರುವುದಿಲ್ಲ.

Mr. CHAIRMAN.—I have understood the point. I have heard the weighty arguments of both sides. As regards the procedure applicable, the same procedure of Supplementary Estimates is applicable to the Budget also.

Sri M. NAGAPPA.—Sir, before any Ruling is given, I may be given one minute's time to explain the point.

ಶ್ರೀ ಅಜೀಜ್ ಸೇಟ್.—ತಾವು ಯಾವ ಪಕ್ಷಕ್ಕೂ ಸೇರಿದವರಲ್ಲ. ನೀವು ಆ ಸ್ಥಾನದಲ್ಲಿ ಇರುವ ತನಕ ತಾವು ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರಲ್ಲ. ತಾವು ಆ ಸ್ಥಾನದಲ್ಲಿ ಒಂದು ಧರ್ಮ ಇಟ್ಟು ನಾನು ಯಾವ ಪಕ್ಷಕ್ಕೂ ಸೇರಿದವನಲ್ಲ ಎಂದು ತಿಳಿದು ಕೆಲಸ ಮಾಡಬೇಕು. ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರಂತೆ ತಾವು ವರ್ತಿಸಬಾರದು. ಅದರೆ ನಮಗೆ ಅನ್ಯಾಯವಾಗಬಾರದು, ಅದನ್ನು ನಹಿಸುವುದಿಲ್ಲ.

Mr. CHAIRMAN.—I think, this is too much. The Hon'ble member may please resume his seat.

Sri AZEEZ SAIT.—I will resume my seat.

ಶ್ರೀ ಕೆ. ಎನ್. ವೀರಪ್ಪಗೌಡ (ಶೃಂಗೇರಿ).—ಇದೇನು ಇಲ್ಲಿ ಯಾವುವಾದರೂ ನೇಮುಗಳು, ಕಾನೂನು ಇವೆಯೋ ಇಲ್ಲವೋ ತಿಳಿಯದಾಗಿದೆ.....

(Some members stood up)

Mr. CHAIRMAN.—Is there no procedure to be followed ? When the Speaker is on his legs to give the Ruling, members should resume their seats. The Hon'ble members have raised very important Points of Orders. I have heard the arguments of both sides, and I think, it is my duty to give my Ruling.

ಶ್ರೀ ಅಜೀಜ್ ಸೇಟ್.—ನಿಮಗೇನು ಬೇಕಾದರೂ ನೀವು ಮಾಡಬಹುದು. ನೂರು ಕೊರೆ ಬೇಕಾದರೂ ನೀವು ಮಾಡಬಹುದು. ಅದನ್ನು ಕೇಳತಕ್ಕನರಿಲ್ಲ. ನಮಗೆ ಪಾತ್ರ ಕಾನೂನು ಇದೆ. ಅದು ತಪ್ಪಾಗೆ ತಮ್ಮ ಪಕ್ಷಕ್ಕೆ ಇಲ್ಲ.

Mr. CHAIRMAN.—Why do the member commit the same mistake while pointing out the mistake ?

Sri B. B. SAYANAK (Belgaum).—Sir, hon'ble member Sri Sogi is entering the House when you are standing.

Sri H. N. NANJE GOWDA.—Sir, I request you to sit and deliver the Ruling.

Mr. CHAIRMAN.—He is committing a mistake when he is pointing out a mistake. The Hon'ble member may resume his seat.

(Interruption)

Sri G. N. PATIL (Hoovinahippargi).—Sir, at least sense of humour prevails !

Sri M. NAGAPPA.—I raise to a point of order Sir.

Mr. CHAIRMAN.—The member will please resume his seat. There is no point of order.

Sri K. H. PATIL.—If there is no merit in the point of order, you can reject it. You are at liberty to reject it.

Mr. CHAIRMAN.—He may please resume his seat in the first place.

(Sri M. Nagappa resumed his seat)

Point of order can be raised only when something happens. The procedure is laid down in the rules of procedure. When the Presiding

Officer is standing, nobody should rise in his place and nobody should enter the House.

(*Mr. Azeez Sait stood up*)

This Hon'ble Member will please resume his seat. The chair should not be compelled to take disciplinary action. When the Presiding Officer is standing, nobody should rise to speak, and nobody should enter the House.

(*Again Sri Azeez Sait stood up*)

Will not the member resume his seat and stop talking ?

(*Member resumed his seat*).

Sri M. NAGAPPA.—With due respect to the chair, I am submitting the fact as to whether the Hon'ble Speaker can *suo moto* exercise the powers laid down under Rule 322. Rule 322 reads as follows :

> " Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the Assembly and if the motion is carried, the rule in question shall be suspended for the time being."

The right of the Speaker is to give consent for moving the motion and the Speaker cannot suspend the rule. If that is moved under Rules 146 to 148, it must be in writing and it must not curtail the privilege of the member as per conditions laid down under Rule 148. The rule 148 says " it shall not raise a question of privilege " It is the right of the member to move a cut motion, the point is whether such suspension of rule can be made before this House. When there is no motion before the House, whether the Speaker is competent to suspend the rule. Speaker cannot suspend the rule except giving consent to move that motion. Rule 322 is wrongly interpreted since no rule has been suspended by this House.

Sri H. SIDDAVEERAPPA.—Apart from what my learned friend Mr. Nagappa said, I request the Hon'ble Chair to give a ruling with regard to constitutional provisions.

Mr. CHAIRMAN.—Mr. Nagappa pointed out that rule cannot be suspended by the Speaker *suo moto* as per the procedure laid down under Rule 322. Now Mr. Magappa may see that Rule 171 is completely self-contained. This rule permits the Speaker to follow the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient. I have exersised the powers under Rule 171 without any reference to Rule 322. I have not done anything to abrogate the provisions of Rule 322. Mr. Siddaveerappa has raised a very important point. As regards the applicability of the procedure, the same procedure as applicable to the main budget, that is Sub-Rule 2

(MR. CHAIRMAN)

under Article 205, applies, here. Constitutional provisions also have to be followed apart from the rules of procedure followed here. Article 205 provides the same provisions. Article 205 (2) says :

> "The provisions of Articles 202, 203 and 204 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or grant."

The provisions of Articles 202 and 203 provide for demands for supplementary estimates also. This is very clear. Under Article 202, a Financial Statement is to be presented and certain provisions are made in that regard. Provisions under Article 202 have been followed and they have been kept up. The estimates were presented yesterday and they were regularly done according to the provisions of Art. 202. Art. 203 says :

> "So much of the estimates as relates to expenditure charged upon the Consolidated Fund of a State shall not be submitted to the vote of the Legislative Assembly, but nothing in this clause shall be construed as preventing the discussion in the Legislature of any of those estimates."

This article shall be followed. For consideration, they are to be voted. Items charged to consolidated fund only are to be voted. The Hon'ble Members have got every right to discuss them which have to be voted.

11-00 A.M.

SRI DIGAMBARA RAO B. KALMANKAR.— Sir, before you proceed further, I request you to read sub-article (2) of article 203 of the Constitution of India.

MR. CHAIRMAN.—Now, the Hon'ble Member Mr. D. B. Kalmankar has requested me to read sub-article (2) of article 203. It runs as follows :

> "203. (2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein."

Therefore, the powers of the Assembly are there. If the Hon'ble Members want to say anything, they may do so and there is nothing objectionable. Article 203 will be followed at the time of voting on demands. As regards article 204, it refers to Appropriation Bill which will be placed before the House in proper order, but in the present case there is no provision as such. Now, the question, therefore, is that the constitutional provisions are apart from the rules of procedure. The only question before the House is that the rules of procedure are followed. Therefore, in exercise of the powers conferred upon me by rule 171, I suspend the provisions contained in rule 168 and call upon the Hon'ble Deputy Minister for Finance, to move the demands.

SUPPLEMENTARY AND ADDITIONAL DEMANDS FOR GRANTS FOR 1967-68—(3rd Instalment)

Sri H. R. ABDUL GAFFAR (Deputy Minister for Finance).—Sir, on the recommendation of the Governor and on behalf of the Minister for Finance, Planning, Commerce and Industries, I beg to move :

> "That a further sum not exceeding Rs. 6,00,100 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1968 in respect of 'State Excise Duties' "

Mr. CHAIRMAN.—Motion moved :

> "That a further sum not exceeding Rs. 6,00,100 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1968 in respect of 'State Excise Duties' ".

Along with the Demand, other Demands *viz.* No. 10, 12, 15, 17, 18, 20, 21, 22, 23, 27, 29, 30, 31, 33, 36, 38, 39, 43, 44, 45, 46, 47, 48 and 54 are deemed to have been moved and hon'ble members may offer their observations in regard to the then Demands also.

†Sri M. NAGAPPA.—Sir, I raise a point of order. I invite your kind attention to rule 311 read with article 205 of the Constitution of India. The present supplementary estimates which have been moved and which are before this House, they can be taken for consideration as Supplementary Estimates or they are to be considered as Excess Grants. For this I submit that if they are Excess grants they could be considered in the form of Supplementary grants. This point I will substantiate in this why. There is a difference between these